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PROPOSED FIRST AMENDMENT

BILL NO. 2009-20

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO PROHIBIT GLASS BEVERAGE CONTAINERS IN CITY PARKS; PROHIBIT ALCOHOLIC BEVERAGES IN CITY PARKS, EXCEPT PURSUANT TO A PERMIT OR OTHER WRITTEN AUTHORIZATION; AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:  
Councilman Gary Reese  
Councilwoman Lois Tarkanian

Summary: Prohibits glass beverage containers in City parks, and prohibits alcoholic beverages in City parks except pursuant to a permit or other written authorization.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
AS FOLLOWS:

SECTION 1: Title 13, Chapter 36, Section 180, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**13.36.180:** Except as otherwise specifically authorized by a permit or other written authorization issued by the Director of the Department of Leisure Services, or the Director's designee, [It] it is unlawful to [drink any alcoholic beverage or intoxicating liquor, or to possess such beverage or liquor in an open container in the parking lots or playground areas of any of the City's parks.] do either of the following in a City park, including any parking lot that serves the park:

(A) Drink any alcoholic beverage or intoxicating liquor; or

(B) Possess such beverage or liquor in an open container.

SECTION 2: Title 13, Chapter 36, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to add thereto a new section, designated as Section 185, reading as follows:

**13.36.185:** It is unlawful to:

(A) Possess a beverage container made of glass within a City park, including any parking lot that serves the park; or

(B) Bring a beverage container made of glass into a City park, including any parking lot that serves the park.

SECTION 3: This Ordinance shall become effective on October 5, 2009.

Submitted at City Council

Date 6/17/09 Item #109

1           SECTION 4: Section 1 of this Ordinance shall expire by limitation on October 1,  
2 2010, unless otherwise extended.

3           SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or  
4 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
5 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
6 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
7 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
8 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
9 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
10 invalid or ineffective.

11           SECTION 6: Whenever in this ordinance any act is prohibited or is made or declared  
12 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is  
13 required or the failure to do any act is made or declared to be unlawful or an offense or a  
14 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall  
15 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than  
16 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such  
17 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

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SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2009.

APPROVED:  
  
By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:  
  
\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC  
City Clerk

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2009, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2009, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as amended and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

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APPROVED:

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By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC  
City Clerk

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